

CITY OF SAN JOSÉ, CALIFORNIA Department of Planning, Building and Code Enforcement 801 North First Street, Room 400 San José, California 95110-1795	Hearing Date/Agenda Number <b>P.C. 01/22/03 Item 3.f.</b>
STAFF REPORT	File Number <b>PDC02-034</b>
	Application Type <b>Planned Development Rezoning</b>
	Council District <b>9</b>
	Planning Area <b>Willow Glen</b>
	Assessor's Parcel Number(s) <b>442-22-056</b>
PROJECT DESCRIPTION <span style="float: right;">Completed by: Teresa Estrada</span>	
Location: Southwest corner of Custer Drive and Curtner Avenue	
Gross Acreage: <b>0.95</b> Net Acreage: <b>0.82</b> Net Density: <b>7.3 DU/AC</b>	
Existing Zoning: <b>R-1-8 Residence</b> Existing Use: <b>Single Family Detached Residential</b>	
Proposed Zoning: <b>A(PD) Planned Development</b> Proposed Use: <b>6 Single-family detached residential units</b>	
GENERAL PLAN <span style="float: right;">Completed by: TE</span>	
Land Use/Transportation Diagram Designation <b>Medium Low Density Residential (8.0 DU/AC)</b>	
Project Conformance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> See Analysis and Recommendations	
SURROUNDING LAND USES AND ZONING <span style="float: right;">Completed by: TE</span>	
North: Elementary School <span style="float: right;">R-1-8 Residence</span>	
East: Single-family detached residential <span style="float: right;">R-1-8 Residence</span>	
South: Single-family detached residential <span style="float: right;">R-1-8 Residence</span>	
West: Single-family detached residential <span style="float: right;">R-1-8 Residence</span>	
ENVIRONMENTAL STATUS <span style="float: right;">Completed by: TE</span>	
<input type="checkbox"/> Environmental Impact Report found complete <input checked="" type="checkbox"/> Exempt	
<input type="checkbox"/> Negative Declaration circulated on <input type="checkbox"/> Environmental Review Incomplete	
FILE HISTORY <span style="float: right;">Completed by: TE</span>	
Annexation Title: South Willow Glen No. 10 <span style="float: right;">Date: July 17, 1952</span>	
PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION	
<input checked="" type="checkbox"/> Approval      Date: _____      Approved by: _____	
<input type="checkbox"/> Approval with Conditions <input type="checkbox"/> Action	
<input type="checkbox"/> Denial <input checked="" type="checkbox"/> Recommendation	
APPLICANT / DEVELOPER / OWNER	
<b>Dan McNiff</b> 2535 Custer Drive San Jose, CA 95125	
PUBLIC AGENCY COMMENTS RECEIVED <span style="float: right;">Completed by: TE</span>	

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**Department of Public Works**

See attached memorandum dated November 20, 2002.

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**Other Departments and Agencies**

N/A

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**GENERAL CORRESPONDENCE**

N/A

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**ANALYSIS AND RECOMMENDATIONS**

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## **BACKGROUND**

The applicant, Dan McNiff, is requesting a Planned Development Rezoning from R-1-8 Residential to A (PD) Planned Development to allow up to six (6) single-family detached residential units on 0.95 gross acres. The subject site, located on a corner lot, is flat and has a rectangular shape. The property currently has an existing single-family detached house. Several accessory structures also exist. All accessory structures are proposed to be demolished as part of the project. The single family detached residence is proposed to remain.

Single-family detached residences surround the site to the south, west and across Custer Drive to the east. To the north, across Curtner Avenue is Bagby Elementary School.

### Project Description

In addition to the preservation of the existing single-family house, the project will include five (5) new two-story houses. Three of the new units will have a detached two-car garage, while the others have attached garages. A new side-on oriented detached garage is proposed for the existing residence. Each of the units will front onto a new small, public cul-de-sac street that connects to Custer Drive, except for one unit that will front directly onto Custer Drive. The proposed units range in size from approximately 2,500 to 2,700 square feet each and will be located on lots varying in size from approximately 5,500 to 6,000 square feet. Architecture of the proposed residences will take styling cues from the existing craftsman-style single family detached residence.

## **ENVIRONMENTAL REVIEW**

The Director of Planning has determined that this project is exempt from environmental review under the provisions of the California Environmental Quality Act pursuant to Section 15061 (b) (3), which pertains to projects, “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment”.

The developer proposes to remove up to 14 ordinance and 8 non-ordinance size trees from the project site. At least 1 ordinance and 1 non-ordinance sized tree will be retained with the project, however the other trees will be further evaluated for preservation at the Planned Development Permit stage upon review of the final grading plan and specific unit design and placement. According to a tree survey and arborist report provided for the project, the majority of trees on the site are in poor health and/or considered invasive, non-native species. New trees will be planted as part of the development in accordance with established replacement ratios. Not potentially significant impact.

The existing house, built circa 1922, generally exhibits craftsman design details, however, has had significant additions and alterations over the ensuing years which has diminished some of the original architectural character. An historical evaluation performed for the existing structures concluded that the main house and ancillary buildings do not possess historic significance or exhibit an exemplary or entirely stylistically correct architectural details in keeping with other traditional craftsman style structures. The accessory structures, which have also been modified over the years, were deemed to not have any substantial historic significance.

While there will be temporary noise impacts from construction, conditions will be placed in the PD permit to ensure that the construction of the project is consistent with the General Plan requirements for noise levels and Zoning Ordinance for construction hours limitations. Temporary air quality impacts may occur from construction of the project, however, conditions will be placed in the PD Permit to ensure that the construction site is well watered down to reduce particulate emissions to insignificant levels.

The new house that backs up to Curtner Avenue will include rear windows with an STC 36 rating to minimize interior noise impacts from traffic.

## **GENERAL PLAN CONFORMANCE**

The subject site is designated Medium Low Density Residential (8.0 DU/AC) on the San Jose 2020 General Plan Land Use/Transportation Diagram. The proposed rezoning would allow development of the project site at a net density of 7.3 DU/AC consistent with this designation.

## **ANALYSIS**

The primary issues analyzed with this project include 1) site design and 2) consistency with the Residential Design Guidelines.

### Site Design

The project's proposed cul-de-sac street takes access from Custer Drive. This street layout enables the existing house to maintain a proper orientation to the neighborhood in the context of the new development.

A rear yard can also be provided for the existing single-family house that avoids the necessity of long fences along the new minor street and Custer Drive. The proposed street layout allows the project to have a better sense of integration or connection with the existing adjacent neighborhood. Additionally, the majority of the units will be better buffered from heavily traveled Curtner Avenue.

The proposed public cul-de-sac street provides an appropriate streetscape for new single-family development. The project employs the use of a narrow, limited access street with a smaller than typical street cross section. The Residential Design Guidelines recommends this type of street for small single-family in-fill projects such as this proposal. This type of street does not typically allow for curbside-parking within the "throat" of the cul-de-sac, but the slightly modified, larger radius cul-de-sac bulb would be able to accommodate curbside parking between driveways. Overall, adequate guest parking is available since there is also curbside parking alongside the project's street frontage on Custer Drive. Additionally, some of the driveways are longer than normal which are suitable for additional parking beyond that which is typical for most single-family developments with lots of this size.

### Consistency with the Residential Design Guidelines

The key issues reviewed for compatibility with the Residential Design Guidelines (RDGs) are setbacks, parking requirements, and architecture.

*Setbacks.* To provide adequate separation and privacy for the rear yards of existing single family residences, the project proposes to meet the RDGs minimum rear setback requirement of 20 feet adjacent to the existing single family detached residences to the south and west.

The RDGs recommend a 35-foot perimeter setback for 2-story residential elements from major public streets such as Curtner Avenue. Strict adherence to this requirement is deemed somewhat unreasonable due to the location of the existing legal non-conforming residence on site, which has an approximately 1-foot setback from the property line due to the previous widening of Curtner Avenue. Staff determined that a 15-foot rear setback for the adjacent new house backing up to Curtner Avenue is appropriate to help avoid or soften what would otherwise be a rather abrupt transition to the existing old house on the project site. To compensate for the reduced rear setback for the new house, extra care in the design with respect to the articulation and detailing of the rear facade will be required to meet the intent of the RDGs.

*Open Space and Parking.* Private open space is provided in backyards that exceed the minimum area and dimension requirements as prescribed in the RDGs. Adequate on-site and off-lot guest parking is provided with attached and detached garages in accordance with the RDGs standard of two covered plus one off lot space within 150 feet of the unit. Accessory structures will be required to comply with the requirements of the zoning ordinance.

*Architecture.* The architecture of the proposed units provide well-articulated buildings facades with variations in building design and materials. A significant difference in the massing and composition of each adjacent house is provided. Front entry porches are also provided which articulate and add interest to the buildings and promote an attractive and strong street presence.

Finish materials include stucco finish, stone veneer, brick veneer, shingle siding, composition shingle roof tiles, wood trimmed windows and doors, and porch elements. Staff will also work with the applicant at the Planned Development Permit stage to ensure that the quality of the architecture and materials is maintained. Further refinement will be required at this stage to ensure that the north elevation of the unit backing up to Curtner Avenue is provided with architectural projections to help break up the expanse of roof and add visual interest from the public street.

## **Conclusion**

The applicant has shown great care and effort in designing a project that addresses the City's development requirements in light of the physical development constraints on this in-fill parcel. Thus far, the level of fine-tuning of the site and unit design is very good and should result in attractive project that is compatible with the existing neighborhood.

## **PUBLIC OUTREACH**

Notices of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the subject site.

## **RECOMMENDATION**

Planning staff recommends that the Planning Commission forward a recommendation to the City Council to approve the subject rezoning for the following reasons:

1. The project conforms to the General Plan Land Use/Transportation Diagram designation of Medium Low Density Residential (8.0 DU/AC).

2. The project furthers the goals and objectives of the City's in-fill housing strategy.
3. The project is compatible with existing uses on adjacent sites.
4. The project is consistent with the intent of the Residential Design Guidelines.

Attachments

PDC02-034 Development Standards

Environmental Exemption

Memo(s)

Location Map

207-02/TE:ll